

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Damon Ray Black et al.  
Serial No. To Be Assigned  
Filing Date: January 9, 2001  
Group Art Unit: To Be Assigned  
Examiner: To Be Assigned  
Title: Implantable Lead and Method of  
Manufacture

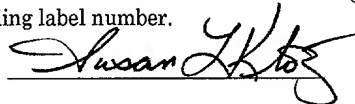
Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Certification Under 37 C.F.R. 1.10

"EXPRESS MAIL" mailing label number: EL288602207US

Date of Mailing: January 9, 2001

I hereby certify that I have caused the documents indicated below to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and are addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.



TRANSMITTAL OF PARENT DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Transmitted herewith is a copy of the Declaration and Power of Attorney (4 pages) filed in the parent application, U.S. Patent Application Serial No. 09/299,702, filed April 26, 1999, for the above-referenced patent application (divisional). A Revocation and Power of Attorney is also being concurrently filed appointing new counsel Hughes & Luce, LLP, as attorneys to prosecute this application (copy attached).

Respectfully submitted,

HUGHES & LUCE, LLP

By:



Peter R. Lando  
Registration No. 45,513

1717 Main Street, Suite 2800  
Dallas, Texas 75201  
Tel.: (214) 939-5672  
Fax: (214) 939-5849  
January 9, 2002

20090126 22444

COPY

Attorney Docket No. 14527/02205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re

U.S. application of: Damon R. BLACK, Terry DAGLOW, John  
ERICKSON, Robert E. JONES, and B.  
Reno LAURO  
For: IMPLANTABLE LEAD AND METHOD OF  
MANUFACTURE  
U.S. Serial No.: To Be Assigned  
Filed: Concurrently  
Group Art Unit: To Be Assigned  
Examiner: To Be Assigned

BOX PATENT APPLICATION

Assistant Director

for Patents

Washington, D.C. 20231

Dear Sir:

EXPRESS MAIL MAILING LABEL NO.: EL589919215US DATE OF DEPOSIT: JANUARY 12, 2001 I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to BOX PATENT APPLICATION, Assistant Director for Patents, Washington, DC 20231.  Lorie Bigley Name of Person Mailing Paper or Fee  <i>Lorie Bigley</i> Signature  January 12, 2001 Date of Signature
---

TRANSMITTAL OF DECLARATION AND POWER OF ATTORNEY

Transmitted herewith is a copy of the Declaration and Power  
of Attorney (4 pages) filed in the parent application, U.S.  
Patent Application Serial No. 09/299,702, filed April 26, 1999,  
for the above-referenced patent application (divisional).

Respectfully submitted,

*Steven P. Rhines*  
Steven P. Rhines  
Registration No. 38,595  
Attorney for Applicants

SPR/mhg  
SIDLEY & AUSTIN  
717 North Harwood  
Suite 3400  
Dallas, Texas 75201-6507  
(214) 981-3387 (direct)  
(214) 981-3300 (main)  
January 12, 2001

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe that I and the other joint inventors named below are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention or discovery entitled

IMPLANTABLE LEAD AND METHOD OF MANUFACTURE

the specification of which was filed on April 26, 1999 and accorded Serial No. 09/299,702;

I have reviewed and understand the contents of the above-identified specification, including the claims; and

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby appoint:

Dale B. Nixon, Reg. No. 28,454  
William R. Gustavson, Reg. No. 29,160  
David L. Hitchcock, Reg. No. 30,067  
Roger N. Chauza, Reg. No. 29,753  
Eugenia S. Hansen, Reg. No. 31,966  
James W. Williams, Reg. No. 20,047  
Steven P. Rhines, Reg. No. 38,595  
Thomas N. Tarnay, Reg. No. 41,341  
Daren C. Davis, Reg. No. 38,425

2009-01-09 10:26:00

all of the firm of SIDLEY & AUSTIN, my representatives with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent applications filed thereon before any international authorities under the Patent Cooperation Treaty.

Send correspondence to:

SIDLEY & AUSTIN

717 N. Harwood

Suite 3400

Dallas, Texas 75201-6507

Direct telephone calls to:

Steven P. Rhines

Direct: (214) 981-3387

Main: (214) 981-3300

Attorney Docket: 14527/2201

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first joint inventor:

<u>Damon</u>	<u>Ray</u>	<u>Black</u>
First	Middle	Last

Inventor's signature: *Damon R. Black*

Date: 07/09/99

Residence: 5203 Vickery St.

Dallas, Texas 75206

Citizenship: United States

Post Office Address: 5203 Vickery St.

Dallas, Texas 75206

205010-26524007

Full name of second joint inventor:

Terry Daglow  
 First Middle Last  
 Inventor's signature: *Terry Daglow*  
 Date: 6/25/99  
 Residence: 1005 Ashland Court  
Allen, Texas 75013  
 Citizenship: United States  
 Post Office Address: 1005 Ashland Court  
Allen, Texas 75013

Full name of third joint inventor:

John Erickson  
 First Middle Last  
 Inventor's signature: *John Erickson*  
 Date: 6-27-99  
 Residence: 3516 Interlaken Drive  
Plano, Texas 75075  
 Citizenship: United States  
 Post Office Address: 3516 Interlaken Drive  
Plano, Texas 75075

Full name of fourth joint inventor:

Robert Earl Jones  
 First Middle Last  
 Inventor's signature: *Robert Earl Jones*  
 Date: 6-28-99  
 Residence: 3414 Vinson Road  
Wylie, Texas 75098  
 Citizenship: United States  
 Post Office Address: 3414 Vinson Road  
Wylie, Texas 75098

205070-25624001

Full name of fifth joint inventor:

<u>B.</u>	<u>Reno</u>	<u>Lauro</u>
First	Middle	Last

Inventor's signature: B. Reno Lauro

Date: 25 JUN 1999

Residence: 413 Ridgeview Dr.  
Murphy, Texas 75094

Citizenship: United States

Post Office Address: 413 Ridgeview Dr.  
Murphy, Texas 75094

206010 25624001

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 CFR § 1.10

"EXPRESS MAIL" mailing label number:

Date of Mailing: January 9, 2002

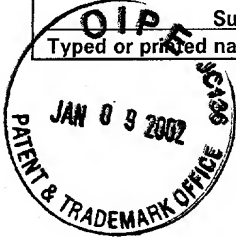
EL759355467US

I hereby certify that I have caused the documents indicated below to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and are addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 and mailed on the above Date of Mailing with the above "Express Mail" mailing label number

Susan L. Klotz

Typed or printed name of person mailing paper or fee

SIGNATURE of person mailing paper or fee

Assistant Commissioner for Patents  
Washington, D.C. 20231

DOCKET NUMBER: 3211:80

DATE: January 9, 2002

Sir:


Inventors: **Damon Ray Black et al.; USSN 09/760,437**

For: **Implantable Lead and Method of Manufacture**

Enclosed are:

- ☒ Two Month Petition for Extension of Time (filed in duplicate);
- ☒ Revocation and Power of Attorney (w/copy of assignment documents);
- ☒ Return post card.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1343 (Hughes & Luce, LLP). A duplicate copy of the Petition for Extension of Time is enclosed.

Respectfully submitted,

By:   
Peter R. Lando  
Reg. No. 45,513  
Attorney for Applicant  
Hughes & Luce, L.L.P.  
1717 Main Street, Suite 2800  
Dallas, Texas 75201  
Tel: 214/939-5530

cc: Ginger Cox

20020109 09:26:26

ATTORNEY DOCKET NO.  
3211:80

PATENT  
Customer ID No. 22444

1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Damon Ray Black et al.

Serial No.

09/760,437

Filing Date:

January 12, 2001

Group Art Unit:

3762

Examiner:

Jeff Jastrzab

Title:

Implantable Lead and Method of  
Manufacture

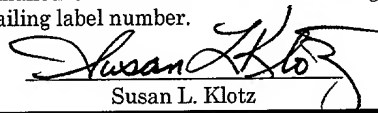
Assistant Commissioner  
for Patents  
Washington, D.C. 20231

Certification Under 37 C.F.R. 1.10

"EXPRESS MAIL" mailing label number: EL759355467US

Date of Mailing: January 9, 2002

I hereby certify that I have caused the documents indicated below to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and are addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

  
Susan L. Klotz

REVOCATION AND POWER OF ATTORNEY

Dear Sir:

Please revoke any existing Power of Attorney and appoint the following attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection therewith and to file and prosecute any corresponding international patent applications with and before any international authorities under the Patent Cooperation Treaty:

William N. Hulsey, III, Reg. No. 33,402  
Theodore Stevenson, III, Reg. No. 39,040  
Rafael V. Baca, Reg. No. 44,016  
Christopher T. Bovenkamp, Reg. No. 44,551  
J. Davis Gilmer, Reg. No. 44,711  
Peter R. Lando, Reg. No. 45,513

205070"25524007



Certificate Under 37 C.F.R. § 3.73(b)

Advanced Neuromodulation Systems, Inc., a Texas corporation, having a place of business at 6501 Windcrest Drive, Plano, Texas 75024, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors of the patent application identified above (copy attached).

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

ATTORNEY DOCKET NO.  
3211:80

PATENT  
Customer ID No. 22444

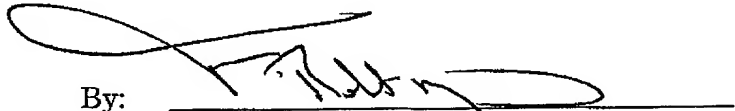
3

Please direct all correspondence in this application to:

William N. Hulsey, III, Reg. No. 33,402  
Hughes & Luce, L.L.P.  
1717 Main Street, Suite 2800  
Dallas, Texas 75201  
(214) 939-5672

Date: January 8, 2002

By:



F. Robert Merrill  
Executive Vice President Finance & CFO

20060108 05:31:00

**ASSIGNMENT**

WHEREAS, we, Damon Ray Black, of 5203 Vickery St., Dallas, Texas 75206, Terry Daglow, of 1005 Ashland Court, Allen, Texas 75013, John Erickson of 3516 Interlaken Drive, Plano, Texas 75075, Robert Earl Jones of 3414 Vinson Road, Wylie, Texas 75098 and B. Reno Lauro of 413 Ridgeview Dr., Murphy, Texas 75094, have invented certain new and useful improvements in **IMPLANTABLE LEAD AND METHOD OF MANUFACTURE** for which we are about to make application for Letters Patent of the United States, the said application having been executed by us on

June 28, 1999,  
June 25, 1999,  
June 29, 1999,  
June 28, 1999, and  
June 25, 1999, respectively,

and which is identified by Attorney Docket No. 14527/02201;

WHEREAS, Advanced Neuromodulation Systems, Inc., a corporation organized under the laws of the State of Texas, having a place of business at 6501 Windcrest Drive, Suite 100, Plano, Texas 75024, is desirous of acquiring the entire interest in said invention in the United States and throughout the world, in said patent application, and in the Letters Patent to be granted therefor in the United States and all foreign countries, including all divisions, renewals, reissues, and extensions thereof;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00), as well as for other good and valuable consideration, we, the said Damon Ray Black, Terry Daglow, John Erickson, Robert Earl Jones and B. Reno Lauro, hereby sell, assign, and transfer unto the said Advanced Neuromodulation Systems, Inc.,

205070 "2562400"

our entire right, title, and interest in and to said invention in the United States and throughout the world; in and to said patent application and any division, continuation, continuation-in-part or substitution thereof, including priority rights created by any treaty or international convention to which the United States of America is a party; and in and to any patent or patents obtained on said invention in the United States and all foreign countries, including any renewals, reissues, and extensions thereof; the said entire interest to be held and enjoyed by the said Advanced Neuromodulation Systems, Inc. for its own use and behoof and for the use and behoof of its successors and assigns to the full end of the term for which said patents may be granted, as fully and entirely as the same would have been held and enjoyed by me had this sale not been made; and

WE DO HEREBY AUTHORIZE and request the Commissioner of Patents and Trademarks to issue the said Letters Patent, including any divisions, renewals, reissues, and extensions thereof to the said Advanced Neuromodulation Systems, Inc., as assignee of the aforesaid interest in and to the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand this

28<sup>th</sup> day of June, 1999.

Damon R. Black  
Damon Ray Black

STATE OF Texas)  
) SS:  
COUNTY OF Collins)

Before me, the undersigned authority, on the day specified, personally appeared Damon Ray Black, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the instrument of his own free will and for the purpose and consideration therein expressed.



Marsha Stanley  
Notary Public

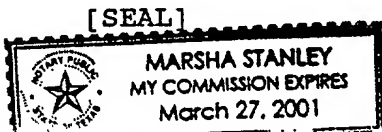
2005070" 2662400T

IN TESTIMONY WHEREOF, I have hereunto set my hand this  
25<sup>th</sup> day of June, 1999.

Terry Daglow  
 Terry Daglow

STATE OF Texas )  
 COUNTY OF Collin ) ss:

Before me, the undersigned authority, on the day specified, personally appeared Terry Daglow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the instrument of his own free will and for the purpose and consideration therein expressed.



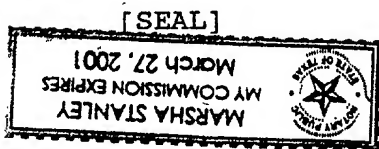
Marsha Stanley  
 Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this  
29<sup>th</sup> day of June, 1999.

John Erickson  
 John Erickson

STATE OF Texas )  
 COUNTY OF Collin ) ss:

Before me, the undersigned authority, on the day specified, personally appeared John Erickson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the instrument of his own free will and for the purpose and consideration therein expressed.



Marsha Stanley  
 Notary Public

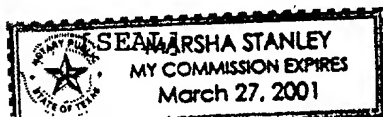
2004-06-25 10:26:40

IN TESTIMONY WHEREOF, I have hereunto set my hand this  
28<sup>th</sup> day of June, 1999.

Robert Earl Jones  
 Robert Earl Jones

STATE OF Texas )  
 COUNTY OF Collin ) ss:

Before me, the undersigned authority, on the day specified, personally appeared Robert Earl Jones, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the instrument of his own free will and for the purpose and consideration therein expressed.



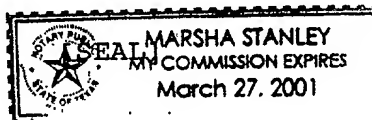
Marsha Stanley  
 Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this  
25<sup>th</sup> day of June, 1999.

B. Reno Lauro  
 B. Reno Lauro

STATE OF Texas )  
 COUNTY OF Collin ) ss:

Before me, the undersigned authority, on the day specified, personally appeared B. Reno Lauro, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the instrument of his own free will and for the purpose and consideration therein expressed.



Marsha Stanley  
 Notary Public

20060701 26624001